IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 1ST JANUARY 2007 / 11TH PAUSHA 1928

WP(C).No. 34575 of 2006(N)

PETITIONER:

KRISHNANKUTTY, S/O. PARANGODAN,
U.D.CLERK, MANNARKAD PANCHAYAT, AGED 54 YEARS,
KUNDRAMBI HOUSE, UMMINEZHY, SREEKRISHNAPURAM,
PALAKKAD.

BY ADV. SRI.VINOD KUMAR.C

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY CHIEF SECRETARY, THIRUVANANTHAPURAM.

2. DIRECTOR OF PANCHAYAT,
THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR OF PANCHAYAT,
CIVIL STATION, PALAKKAD.

4. SECRETARY,
GRAMA PANCHAYAT, MANNARKKAD, PALAKKAD.

BY GOVT. PLEADER MR. P. NANDAKUMAR. FOR R1 TO R3.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/01/2007, THE COURT ON 01/01/2007 DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 34575 OF 2006

Dated this the 1st January, 2007.

JUDGMENT

Feeling aggrieved by Ext.P1 order passed by the Deputy Director of Panchayats, Palakkad transferring the petitioner from the post of Upper Division Clerk, Mannarkkad Grama Panchayat to Thenkara Grama Panchayat, this writ petition has been filed. Ext.P1 was passed consequent on the shifting of one post of Upper Division Clerk to the Thenkara Grama Panchayat. It is contended that the petitioner has been arbitrarily chosen for transfer and the third respondent did not examine whether any other person could have been transferred and posted in Thenkara Grama Panchayat.

2. Govt. Pleader on instruction submits that the distance between Mannarkkad Grama Panchayat office and Thenkara Grama Panchayat is about 3 kms. and the petitioner cannot put forward any valid contention as there is no room for legal grievance.

3. I do not propose to consider the contentions of either of the parties since the petitioner has rightly filed Ext.P3 representation before the Director of Panchayat who has got the authority to look into the order passed by the third respondent, and if necessary, to make

appropriate corrections. Hence this writ petition is disposed of directing the second respondent to consider Ext.P3, pass orders in accordance with law and communicate the order to the petitioner as expeditiously as possible, in any event, within one month on the petitioner producing a copy of the judgment along with a copy of the writ petition.

K.K.DENESAN
Judge

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